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TRADEMARK TRIAL AND  
APPEAL BOARDIN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARDPLANET EARTH SKATEBOARDS, INC., a  
California corporation,

Opposer,

v.

KRENT/PAFFETT/TEIFERT, INC., a  
Massachusetts corporation,

Applicant.

Opposition No. 91155197

MOTION FOR ENTRY OF  
DEFAULT AND MOTION TO  
SUSPEND PROCEEDINGS

06-16-2003

U.S. Patent &amp; TMO/TM Mail Rpt Dt. #26

Opposer, Planet Earth Skateboards, Inc., hereby moves the Trademark Trial and Appeal Board to enter a default against the Applicant, Krent/Paffett/Teifert, Inc., in this opposition proceeding. On February 25, 2003; the Trademark Trial and Appeal Board mailed a copy of the Notice of Opposition and an Order advising Applicant that an answer was due in this opposition proceeding by no later than April 6, 2003. That same Order set the discovery and testimony periods in this matter, thereby scheduling discovery to close on September 13, 2003.

An answer to the Notice of Opposition has not yet been filed despite the due date of April 6, 2003.

Based upon Applicant's failure to respond to the Notice of Opposition filed herein, Opposer respectfully requests that a default and subsequent default judgment be entered against Applicant, resolving this opposition proceeding in favor of Opposer and entering judgment in favor of Opposer.

Opposer also respectfully requests that the discovery and testimony periods in this matter be suspended pending disposition of this Motion for Entry of Default so that if Applicant responds to this Motion and a trial is required in this opposition proceeding,

1 Opposer will be permitted a reasonable opportunity to complete discovery, file an appropriate  
2 Motion to Compel if necessary, and submit testimony.

3 Dated this 13<sup>th</sup> day of June, 2003.

4 Respectfully submitted,

5 CHRISTENSEN O'CONNOR  
6 JOHNSON & KINDNESS<sup>PLLC</sup>

7 

8 Cindy L. Caditz  
9 Attorneys for Opposer

10 **CERTIFICATE OF MAILING**

11 I hereby certify that this MOTION FOR ENTRY OF DEFAULT AND MOTION TO  
12 SUSPEND PROCEEDINGS in Opposition No. 91155197 is being deposited with the U.S.  
13 Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid  
14 addressed to: BOX TTAB NO FEE, Commissioner for Trademarks, Trademark Trial and  
Appeal Board, 2900 Crystal Drive, Arlington, VA 22202-3513, on 6-13-03.

15 Date: June 13, 2003 Jeffrey Harbert

16 **CERTIFICATE OF SERVICE**

17 I hereby certify that this MOTION FOR ENTRY OF DEFAULT AND MOTION TO  
18 SUSPEND PROCEEDINGS in Opposition No. 91155197 is being deposited with the U.S.  
19 Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid  
20 addressed to:

21 Lawrence M. Green, Esq.  
22 Wolf Greenfield & Sacks PC  
23 600 Atlantic Avenue  
24 Boston, MA 02210-2211

25 Date: June 13, 2003 Jeffrey Harbert

26 CLC:jh  
27